

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:17-cv-00541-FDW-DCK

GENWORTH LIFE AND ANNUITY )  
INSURANCE COMPANY, )  
)  
Plaintiff and Stakeholder in )  
Interpleader, )  
)  
vs. )  
)  
RHONDA M. CALDWELL HODGE and )  
TERESA KIRBY HODGE, )  
)  
Defendants and Claimants in )  
Interpleader. )  
)

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ORDER

THIS MATTER is before the Court on Plaintiff and Stakeholder in Interpleader Genworth Life and Annuity Insurance Company's ("Genworth") Consent Motion for Dismissal and Discharge of Genworth Life and Annuity Insurance Company and Disbursement of Funds (Doc. No. 9). Genworth moves this Court to dismiss it from this lawsuit with prejudice. The Motion reflects Defendants/Claimants in Interpleader to this lawsuit, Rhonda M. Caldwell Hodge and Teresa Kirby Hodge, ("Defendants") consent to the dismissal of Genworth with prejudice. The Motion further reflects that Defendants have reached an agreement on the disbursement of the funds, consent to the disbursement of the funds, and seek entry of an order disbursing the funds.


The Court finds that it has jurisdiction pursuant to 18 U.S.C. § 1335 and 28 U.S.C. § 1332(a) and personal jurisdiction over all Defendants pursuant to 28 U.S.C. § 2361. See Fed. R. Civ. P. 4(k)(1)(C). Venue is also proper under 28 U.S.C. § 1391 and 28 U.S.C. § 1397.

For the reasons stated in the Motion, the Motion is GRANTED. THEREFORE, as consented to by all parties (Doc. No. 9), IT IS HEREBY ORDERED that:

- a. Funds deposited in connection with this action in the amount of \$25,000.00 are to be disbursed to Defendant Teresa Kirby Hodge, 1027 Meadow Lakes Road, Rock Hill, SC 29732;
- b. Any remaining funds deposited in connection with this action are to be disbursed to Defendant Rhonda M. Caldwell Hodge, 119 Bedgood Drive, Gastonia, NC 28056;
- c. Genworth is dismissed from this lawsuit, with prejudice, and is discharged from any liability to any of the Defendants related to the subject matter of this lawsuit; and
- d. All parties in this action are permanently enjoined from filing suit against Genworth or otherwise seeking recovery against Genworth related to, arising from, or in any way connected to the Policy, the proceeds payable under the Policy, this action, or the facts set forth herein.

IT IS SO ORDERED.

Signed: October 18, 2017

  
Frank D. Whitney  
Chief United States District Judge

